

BILL NO. 81-2008

AN ORDINANCE

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING POLICIES TO FACILITATE REQUESTS FOR PUBLIC RECORDS OF THE CITY OF READING, THE MANNER IN WHICH RECORDS SHALL BE DISSEMINATED, THE MANNER IN WHICH DECISIONS SHALL BE MADE CONCERNING DISSEMINATION OF PUBLIC RECORDS, AND ESTABLISHING A FEE SCHEDULE FOR DUPLICATION AND CERTIFICATION OF PUBLIC RECORDS OF THE CITY OF READING.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

CITY OF READING  
POLICY FOR ACCESS TO PUBLIC RECORDS

**§1-1001. Purpose.** The purpose of this policy is to assure compliance with the Pennsylvania Right-to-Know Law, 65 P.S. § 66.1 et. seq., as amended, to provide access to public records of the City of Reading, to preserve the integrity of records, and to minimize the financial impact to the residents of the City of Reading regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.

It is the policy of the City of Reading to require the presence of a designated employee when public records are examined and inspected and to charge reasonable fees for duplication of public records of the City of Reading. The City of Reading designates the Managing Director as responsible for assuring compliance with the Pennsylvania Right-to-Know Law, in accordance with the following guidelines.

**§1-1002. Definitions**

***"Administrative proceeding."*** A proceeding by an agency the outcome of which is required to be based on a record or documentation prescribed by law or in which a statute or regulation is particularized in application to individuals. The term includes an appeal.

***"Agency."*** A Commonwealth agency, a local agency, a judicial agency or a legislative agency.

***"Aggregated data."*** A tabulation of data which relate to broad classes, groups or categories so that it is not possible to distinguish the properties of individuals within those classes, groups or categories.

**"Appeals officer."** As follows:

- (1) For a Commonwealth agency or a local agency, the appeals officer designated under section 503(a).
- (2) For a judicial agency, the individual designated under section 503(b).
- (3) For a legislative agency, the individual designated under section 503(c).
- (4) For the Attorney General, State Treasurer, Auditor General and local agencies in possession of criminal investigative records, the individual designated under section 503(d).

**"Confidential proprietary information."** Commercial or financial information received by an agency:

- (1) which is privileged or confidential; and
- (2) the disclosure of which would cause substantial harm to the competitive position of the person that submitted the information.

**"Financial record."** Any of the following:

- (1) Any account, voucher or contract dealing with:
  - (i) the receipt or disbursement of funds by an agency; or
  - (ii) an agency's acquisition, use or disposal of services, supplies, materials, equipment or property.
- (2) The salary or other payments or expenses paid to an officer or employee of an agency, including the name and title of the officer or employee.
- (3) A financial audit report. The term does not include work papers underlying an audit.

**"Homeland security."** Governmental actions designed to prevent, detect, respond to and recover from acts of terrorism, major disasters and other emergencies, whether natural or manmade. The term includes activities relating to the following:

- (1) emergency preparedness and response, including preparedness and response activities by volunteer medical, police, emergency management, hazardous materials and fire personnel;
- (2) intelligence activities;
- (3) critical infrastructure protection;
- (4) border security;
- (5) ground, aviation and maritime transportation security;
- (6) biodefense;
- (7) detection of nuclear and radiological materials; and (8) research on next-generation securities technologies.

**"Independent agency."** Any board, commission or other agency or officer of the Commonwealth, that is not subject to the policy supervision and control of the Governor. The term does not include a legislative or judicial agency.

**"Legislative record."** Any of the following relating to a legislative agency or a standing committee, subcommittee or conference committee of a legislative agency:

- (1) A financial record.

*(2) A bill or resolution that has been introduced and amendments offered thereto in committee or in legislative session, including resolutions to adopt or amend the ruler.*

*(3) Fiscal notes.*

*(4) The minutes of, record of attendance of members at a public hearing or a public committee meeting and all recorded votes taken in a public committee meeting.*

*(5) The transcript of a public hearing when available.*

*(6) Any administrative staff manuals or written policies.*

*(7) An audit report*

*(8) Committee reports.*

*"Local agency." Any of the following:*

*(1) Any political subdivision, intermediate unit, charter school, cyber charter school or public trade or vocational school.*

*(2) Any local, intergovernmental, regional or municipal agency, authority, council, board, commission or similar governmental entity.*

*"Office of Open Records." The Office of Open Records established in the Pennsylvania Right to Know Law*

*"Personal financial information." An individual's personal credit, charge or debit card information; bank account information; bank, credit or financial statements; account or PIN numbers and other information relating to an individual's personal finances.*

*"Privilege." The attorney-work product doctrine, the attorney-client privilege, the doctor-patient privilege, the speech and debate privilege or other privilege recognized by a court interpreting the laws of this Commonwealth.*

*"Public record." A record, including a financial record, of a Commonwealth or local agency that:*

*(1) is not exempt under section 708;*

*(2) is not exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree; or*

*(3) is not protected by a privilege.*

*"Record." Information, regardless of physical form or characteristics, that documents a transaction or activity of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a dataprocessed or image-processed document.*

*"Requester." A person that is a legal resident of the United States and requests a record pursuant to this act. The term includes an agency.*

***"Response."*** Access to a record or an agency's written notice to a requester granting, denying or partially granting and partially denying access to a record.

***"Terrorist act."*** A violent or life-threatening act that violates the criminal laws of the United States or any state and appears to be intended to:

- (1) intimidate or coerce a civilian population;
- (2) influence the policy of a government; or
- (3) affect the conduct of a government by mass destruction, assassination or kidnapping.

***"Trade secret."*** Information, including a formula, drawing, pattern, compilation, including a customer list, program, device, method, technique or process that:

- (1) derives independent economic value, actual or potential, from not being generally known to and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use; and
- (2) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

The term includes data processing software obtained by an agency under a licensing agreement prohibiting disclosure.

#### **§1-1003      Presumptions**

***Requirement*** – A local agency shall provide public records in accordance with the Pennsylvania Right to Know Act.

***Prohibition*** – A local agency may not deny a requester access to a public record due to the intended use of the public record by the requester unless otherwise provided by law.

***General rule*** – A record in the possession of a local agency shall be presumed to be a public record. The presumption shall not apply if:

1. the record is exempt under this Act;
2. the record is protected by a privilege; or
3. the record is exempt from disclosure under any other Federal or State Law or regulation or judicial order or decree.

***Burden of Proof*** – The burden of proving that a record is exempt from public access shall be on the agency receiving a request by a preponderance of the evidence.

***Exceptions*** – The following records are exempt from access:

- records which would result in the loss of Federal or State funds
- records which would be likely to result in a substantial risk of physical harm to or the personal security of an individual
- records maintained for homeland security, law enforcement or other public safety activity that would jeopardize or threaten public safety or preparedness or public protection or a record that is designated classified by a military authority



- *records that would create a reasonable endangering of the safety or the physical security of a building, public utility, resource, infrastructure, facility or information storage system including:*
  - *documents or data relating to computer hardware, source files, software and system networks that could jeopardize computer security by exposing a vulnerability*
  - *lists of infrastructure, resources and significant special events, including those defined by the Federal Government in the National Infrastructure Protections, which are deemed critical due to their nature and which result from risk analysis; threat assessments; consequences assessments; antiterrorism protective measures and plans; counterterrorism measures and plans; and security and response needs assessments; and*
  - *building plans or infrastructure records that expose or create vulnerability through disclosure of the location, configuration or security of critical systems, including public utility systems, structural elements, technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage and gas systems.*
- *A record regarding computer hardware, software and networks, including administrative or technical records, which, if disclosed, would be reasonably likely to jeopardize computer security.*
- *A record of an individual's medical, psychiatric or psychological history or disability status, including an evaluation, consultation, prescription, diagnosis or treatment; results of tests, including drug tests; enrollment in a health care program or program designed for participation by persons with disabilities, including vocation rehabilitation, workers' compensation and unemployment compensation; or related information that would disclose individually identifiable health information.*
- *The following personal identification information:*
  - *A record containing all or part of a person's Social Security number; driver's license number; personal financial information; home, cellular or personal telephone numbers; personal email addresses; employee number or other confidential personal identification number.*
  - *A spouse's name; marital status, beneficiary or dependent information.*
  - *The home address of a law enforcement officer or judge.*

*\*Nothing in this paragraph shall preclude the release of the name, position, salary, actual compensation or other payments or expenses, employment contract, employment-related contract or agreement and length of service of a public official or an agency employee.*

*\*An agency may redact the name or other identifying information relating to an individual performing an undercover or covert law enforcement activity from a record.*

- *The following records relating to an agency employee:*
  - *A letter of reference or recommendation pertaining to the character or qualifications of an identifiable individual, unless it was prepared in*

*relation to the appointment of an individual to fill a vacancy in an elected office or an appointed office requiring Senate confirmation.*

- *A performance rating or review.*
- *The result of a civil service or similar test administered by a Commonwealth agency, legislative agency or judicial agency. The result of a civil service or similar test administered by a local agency shall not be disclosed if restricted by a collective bargaining agreement. Only test scores of individuals who obtained a passing score on a test administered by a local agency may be disclosed.*
- *The employment application of an individual who is not hired by the agency.*
- *Workplace support services program information.*
- *Written criticisms of an employee.*
- *Grievance material, including documents related to discrimination or sexual harassment.*
- *Information regarding discipline, demotion or discharge contained in a personnel file. This subparagraph shall not apply to the final action of an agency that results in demotion or discharge.*
- *An academic transcript.*
- *A record pertaining to strategy or negotiations relating to labor relations or collective bargaining and related arbitration proceedings. This subparagraph shall not apply to a final or executed contract or agreement between the parties in a collective bargaining procedure.*
- *In the case of the arbitration of a dispute or grievance under a collective bargaining agreement, an exhibit entered into evidence at an arbitration proceeding, a transcript of the arbitration or the opinion. This subparagraph shall not apply to the final award or order of the arbitrator in a dispute or grievance procedure.*
- *The draft of a bill, resolution, regulation, statement of policy, management directive, ordinance or amendment thereto prepared by or for an agency.*

*A record that reflects:*

- *The internal, predecisional deliberations of an agency, its members, employees or officials or predecisional deliberations between agency members, employees or officials and members, employees or officials of another agency, including predecisional deliberations relating to a budget recommendation, legislative proposal, legislative amendment, contemplated or proposed policy or course of action or any research, memos or other documents used in the predecisional deliberations.*
- *The strategy to be used to develop or achieve the successful adoption of a budget, legislative proposal or regulation.*

*The following shall apply to agencies subject to 65 Pa.C.S. Ch. 7 (relating to open meetings) in a manner consistent with 65 Pa.C.S. Ch. 7. A record which is not otherwise exempt from access under this act and which is presented to a quorum for deliberation in accordance with 65 Pa.C.S. Ch. 7 shall be a public record.*

*\*This paragraph shall not apply to a written or Internet application or other document that has been submitted to request Commonwealth funds.*

*\*This paragraph shall not apply to the results of public opinion surveys, polls, focus groups, marketing research or similar effort designed to measure public opinion.*

- *A record that constitutes or reveals a trade secret or confidential proprietary information.*
- *Notes and working papers prepared by or for a public official or agency employee used solely for that official's or employee's own personal use, including telephone message slips, routing slips and other materials that do not have an official purpose.*
- *Records that would disclose the identity of an individual who lawfully makes a donation to an agency unless the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public official or employee of the agency, including lists of potential donors compiled by an agency to pursue donations, donor profile information or personal identifying information relating to a donor.*
- *Unpublished lecture notes, unpublished manuscripts, unpublished articles, creative works in progress, research-related material and scholarly correspondence of a community college or an institution of the State System of Higher Education or a faculty member, staff employee, guest speaker or student thereof.*
- *Academic transcripts*
- *Examinations, examination questions, scoring keys or answers to examinations. This subparagraph shall include licensing and other examinations relating to the qualifications of an individual and to examinations given in primary and secondary schools and institutions of higher education.*
- *A record of an agency relating to or resulting in a criminal investigation, including:*
  - *Complaints of potential criminal conduct other than a private criminal complaint.*
  - *Investigative materials, notes, correspondence, videos and reports.*
  - *A record that includes the identity of a confidential source or the identity of a suspect who has not been charged with an offense to whom confidentiality has been promised.*
  - *A record that includes information made confidential by law or court order.*
  - *Victim information, including any information that would jeopardize the safety of the victim.*
- *A record that, if disclosed, would do any of the following:*
  - *Reveal the institution, progress or result of a criminal investigation, except the filing of criminal charges.*
  - *Deprive a person of the right to a fair trial or an impartial adjudication.*
  - *Impair the ability to locate a defendant or codefendant.*

- *Hinder an agency's ability to secure an arrest, prosecution or conviction.*
- *Endanger the life or physical safety of an individual.*

*\*This paragraph shall not apply to information contained in a police blotter as defined in 18 Pa.C.S. § 9102 (relating to definitions) and utilized or maintained by the Pennsylvania State Police, local, campus, transit or port authority police department or other law enforcement agency or in a traffic report except as provided under 75 Pa.C.S. § 3754(b) (relating to accident prevention investigations).*

- *A record of an agency relating to a noncriminal investigation, including:*
  - *Complaints submitted to an agency.*
  - *Investigative materials, notes, correspondence and reports.*
  - *A record that includes the identity of a confidential source, including individuals subject to the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law.*
  - *A record that includes information made confidential by law.*
  - *Work papers underlying an audit.*
- *A record that, if disclosed, would do any of the following:*
  - *Reveal the institution, progress or result of an agency investigation, except the imposition of a fine or civil penalty, the suspension, modification or revocation of a license, permit, registration, certification or similar authorization issued by an agency or an executed settlement agreement unless the agreement is determined to be confidential by a court.*
  - *Deprive a person of the right to an impartial adjudication.*
  - *Constitute an unwarranted invasion of privacy.*
  - *Hinder an agency's ability to secure an administrative or civil sanction.*
  - *Endanger the life or physical safety of an individual.*
- *Records or parts of records, except time response logs, pertaining to audio recordings, telephone or radio transmissions received by emergency dispatch personnel, including 911 recordings.*

*\*This paragraph shall not apply to a 911 recording, or a transcript of a 911 recording, if the agency or a court determines that the public interest in disclosure outweighs the interest in nondisclosure.*

- *DNA and RNA records.*
- *An autopsy record of a coroner or medical examiner and any audiotape of a postmortem examination or autopsy, or a copy, reproduction or facsimile of an autopsy report, a photograph, negative or print, including a photograph or videotape of the body or any portion of the body of a deceased person at the scene of death or in the course of a postmortem examination or autopsy taken or made by or caused to be taken or made by the coroner or medical examiner. This exception shall not limit the reporting of the name of the deceased individual and the cause and manner of death.*
- *Draft minutes of any meeting of an agency until the next regularly scheduled meeting of the agency.*

- *Minutes of an executive session and any record of discussions held in executive session.*
- *The contents of real estate appraisals, engineering or feasibility estimates, environmental reviews, audits or evaluations made for or by an agency relative to the following:*
  - *The leasing, acquiring or disposing of real property or an interest in real property.*
  - *The purchase of public supplies or equipment included in the real estate transaction.*
  - *Construction projects.*

*\*This paragraph shall not apply once the decision is made to proceed with the lease, acquisition or disposal of real property or an interest in real property or the purchase of public supply or construction project.*

- *Library and archive circulation and order records of an identifiable individual or groups of individuals.*
- *Library archived and museum materials, or valuable or rare book collections or documents contributed by gift, grant, bequest or devise, to the extent of any limitations imposed by the donor as a condition of the contribution.*
- *A record identifying the location of an archeological site or an endangered or threatened plant or animal species if not already known to the general public.*
- *A proposal pertaining to agency procurement or disposal of supplies, services or construction prior to the award of the contract or prior to the opening and rejection of all bids; financial information of a bidder or offeror requested in an invitation for bid or request for proposals to demonstrate the bidder's or offeror's economic capability; or the identity of members, notes and other records of agency proposal evaluation committees established under 62 Pa.C.S. § 513 (relating to competitive sealed proposals).*
- *A record or information relating to a communication between an agency and its insurance carrier, administrative service organization or risk management office.*

*\*This paragraph shall not apply to a contract with an insurance carrier, administrative service organization or risk management office or to financial records relating to the provision of insurance.*

- *A record or information:*
  - *identifying an individual who applies for or receives social services; or*
  - *relating to the following:*
    - *the type of social services received by an individual;*
    - *an individual's application to receive social services, including a record or information related to an agency decision to grant, deny, reduce or restrict benefits, including a quasi-judicial decision of the agency and the identity of a caregiver or others who provide services to the individual; or*

- *eligibility to receive social services, including the individual's income, assets, physical or mental health, age, disability, family circumstances or record of abuse.*
- *Correspondence between a person and a member of the General Assembly and records accompanying the correspondence which would identify a person that requests assistance or constituent services.*

*\*This paragraph shall not apply to correspondence between a member of the General Assembly and a principal or lobbyist under 65 Pa.C.S. Ch. 13A (relating to lobbyist disclosure).*

- *A record identifying the name, home address or date of birth of a child 17 years of age or younger.*
- *Financial records. — The exceptions set forth above. An agency shall not disclose the identity of an individual performing an undercover or covert law enforcement activity.*
- *Aggregated data. — The exceptions set forth in subsection (b) shall not apply to aggregated data maintained or received by an agency, except for data protected above.*
- *Construction. — In determining whether a record is exempt from access under this section, an agency shall consider and apply each exemption separately.*

#### **§1-10021004. Format to Request.**

1. All requests for public records of the City of Reading under this policy shall be specific in identifying and describing each public record requested. In no case shall the City of Reading be required to create a public record which does not exist or to compile, maintain, format or organize a public record in a manner in which the City of Reading does not currently compile, maintain, format or organize the public record. Requests for public records shall be submitted in writing by mail, in person, by email, or by facsimile and on a form provided by the City of Reading, as attached hereto entitled "Standard Right to Know Request Form."

#### **§1-1003 1005. Processing of Request Procedure**

1. All requests for access to public records of the City of Reading shall be directed to the Managing Director of the City of Reading. The Managing Director's office shall be located in City Hall and made accessible to the public. Requests will be addressed within five days of receipt.

2. ~~The Managing Director may designate certain employee(s) to process public record requests.~~

3. ~~The City of Reading is responsible for minimizing, where possible, the financial impact to the City of Reading regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.~~

4. ~~The Managing Director shall make a good faith effort to determine whether each record requested is a public record.~~

5. ~~The Managing Director shall facilitate a reasonable response to a request for the City of Reading's public records. In no case is the City of Reading expected to provide extraordinary staff to respond to the request, but will respond in a manner consistent with the City of Reading's administrative responsibilities and consistent with the requirements of the Pennsylvania Right to Know Law.~~

*Upon receiving a request for a public record, the Managing Director shall do all of the following:*

- 1. Note the date of receipt on the written request*
- 2. Compute the day on which the five-day period will expire and make a notation of the date on the written request*
- 3. Maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been fulfilled. If the request is denied, the written request shall be maintained for 30 days or, if an appeal is filed, until a final determination is issued or the appeal is deemed denied*
- 4. Create a file for the retention of the original request, a copy of the response, a record of written communications with the requestor and a copy of other communications.*

**§1-1004. ~~Response to Request.~~**

1. ~~The designated employee~~ **Managing Director** shall respond to the requester within five (5) business days from the date of receipt of the written request. If the City of Reading does not respond within five (5) business days of receipt thereof, the request is deemed denied.

2. The response provided by the City of Reading shall consist of (1) approval for access to the public record; (2) review of the request by the ~~designated employee~~ **Managing Director**; or (3) denial of access to the record requested.

3. If access to the public record requested is approved, the public record shall be available for access during the regular business hours of the City of Reading. The Managing Director, or his designee, shall cooperate fully with the requester, while also taking reasonable measures to protect the City of Reading's public records from the possibility of theft and/or modification. The presence of a designated employee is required when public records are examined and inspected.

**§1-1006. Review of Request.**



1. If the request is being reviewed, the notice provided by the City of Reading shall be in writing and include the reason for the review, the expected response date, ***and an estimate of applicable fees owed when the record becomes available***, which shall be within thirty (30) days notice of review. If the City of Reading does not respond within thirty (30) days thereof, the request is deemed denied. Review of the request is limited to situations where:

- (a) The record requested contains information which is subject to access, as well as information which is not subject to access that must be redacted prior to a grant of access. The redacted information is considered a denial as to that information;
- (b) The record requires retrieval from a remote location;
- (c) A timely response cannot be accomplished due to staffing limitations;
- (d) A legal review is necessary to determine whether the record requested is a ~~public record~~ ***subject to access***;
- (e) The requester has ~~failed to comply~~ not complied with the City of Reading's policy and procedure requirements; or
- (f) The requester refuses to pay the applicable fees; ***or***
- (g) ***The extent or nature of the request precludes a response within the required time period.***

2. If access to the record requested is denied, the notice provided by the City of Reading shall be in writing as indicated on the form attached hereto entitled "Denial of Request to Review and/or Duplicate Records."

#### **§1-1007. Denial of Request.**

***A request may be denied if the requester has made repeated requests for the same record and the repeated requests have placed an unreasonable burden on the agency. A denial for this purpose shall not restrict the ability to request a different record.***

***A request may be denied when timely access is not possible due to fire, flood, or other disaster.***

***A request may be denied if historical, ancient, or rare documents, records, archives and manuscripts when access may, in the professional judgment of the curator or custodian of records, cause physical damage or irreparable harm to the record.***

1. If the request is denied or deemed denied, the requester may file exceptions with the City of Reading City Council within fifteen (15) business days of the mailing date of the Managing Director's notice of denial, or within fifteen (15) days of a deemed denial. The exceptions must:

- (a) Indicate the date of the original request;
- (b) Identify and describe the record(s) requested;



- (c) State the grounds upon which the requester asserts the record(s) is a public record;
- (d) ~~Address any grounds stated by the School District in its notice of denial.~~ ***The typed name, title, business address, business telephone number and signature of the open records officer on whose authority the denial is issued;***
- (e) ***Date of the response; and***
- (f) ***The procedure to appeal the denial of access under this act.***

2. A subcommittee of the City Council of the City of Reading, consisting of any three (3) Council persons, shall review the exceptions and may conduct a hearing to assist in making a final determination. A final determination will be made within thirty (30) days of the mailing date of the exceptions, unless extended by the parties. If the denial is upheld, the decision shall contain a written explanation of the reason for denial and an explanation of the process for further appeal.

3. ***Appeals of decisions rendered by City Council will be heard by the State of Pennsylvania's Office of Open Records.***

4. This policy shall be posted conspicuously at the Managing Director's office ***in addition to the contact information for the State Office of Open Records.***

#### **§1-10051008. Fees Associated with Request.**

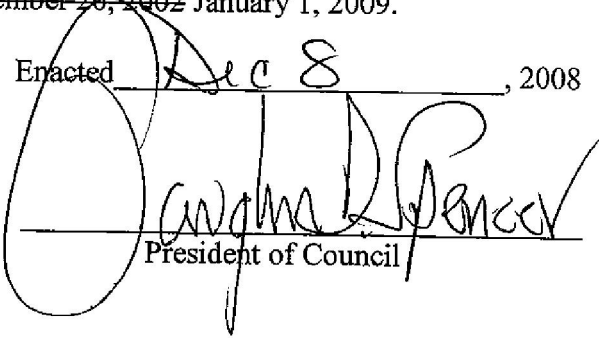
1. Fees for duplication of public records shall be as follows:

- (a) Photocopying fees - \$2.00 first page; (\$.30 Cents per page thereafter);
- (b) Certification of a public record - \$25.00 per record certified;
- (c) Copying records onto electronic media – Twenty-~~five~~ Dollars (\$25.00) plus actual cost of materials and media used for copying, and ***\*Note – this represents the current fee in the City's fee ordinance\****
- (d) Copying off-site of subdivision, land development or other plans – Twenty Dollars (\$20.00) plus actual cost incurred.
- (e) Postage: Actual cost to the City of Reading of mailing the public record.

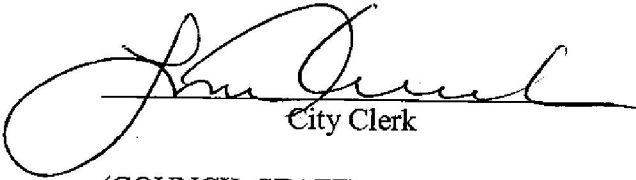
2. In the event the estimated cost of fulfilling a request submitted under this policy is expected to exceed \$100.00, the Managing Director shall obtain fifty percent (50%) of the expected cost in advance of fulfilling the request to avoid unwarranted expense of City of Reading resources.

This policy shall take effect on ~~December 26, 2002~~ January 1, 2009.

Enacted Dec 8, 2008

  
\_\_\_\_\_  
President of Council

Attest:

  
\_\_\_\_\_  
City Clerk

(COUNCIL STAFF)

MAYOR'S ACTION  
Bill No. 8-2008

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_


  
12-8-08

Received by Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

  
12/9/08

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Sustained by Council: \_\_\_\_\_

Date: \_\_\_\_\_

Overridden by Council: \_\_\_\_\_

Date: \_\_\_\_\_

**PUBLIC RECORD REVIEW/DUPPLICATION REQUEST**  
**STANDARD RIGHT-TO-KNOW REQUEST FORM**

**Please print legibly.**

Date of Request: \_\_\_\_\_

**Request submitted by:**      *E-MAIL*      *U S MAIL*      *FAX*      *IN PERSON*

Requester's Name (*Optional*): \_\_\_\_\_

Requester's Address (*Optional*): \_\_\_\_\_

City/County/State (*Required*): \_\_\_\_\_

Requester's Telephone (*Optional*): \_\_\_\_\_

I request review/duplication (circle applicable choice) of the following records:

**Important:** You must identify or describe the records with sufficient specificity to enable the City of Reading to determine which records are being requested. Use additional sheets if necessary.

***RECORDS REQUESTED***

***\*Provide as much specific detail as possible so the agency can identify the information.***

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that I am a resident of the Commonwealth of Pennsylvania.

\_\_\_\_\_  
Signature of Requester

This request may be submitted in person, by mail or by facsimile to:

***DO YOU WANT COPIES?***              *YES*      *NO*

***DO YOU WANT TO INSPECT THE RECORDS?***              *YES*      *NO*

***DO YOU WANT CERTIFIED COPIES OF RECORDS?*** *YES*      *NO*

**RIGHT TO KNOW OFFICER:**

**DATE RECEIVED BY THE AGENCY:**

***\*\*Public bodies must fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this ordinance, the request must be in writing.***

***\*\*\*Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law.***

**PUBLIC RECORD REVIEW/DUPPLICATION REQUEST**

**To be completed by Managing Director:**

Request No.: \_\_\_\_\_

Date Received: \_\_\_\_\_

Action Taken:

\_\_\_\_\_ Approved \_\_\_\_\_ Date of approval: \_\_\_\_\_

\_\_\_\_\_ Denied \_\_\_\_\_ Date notice mailed: \_\_\_\_\_

\_\_\_\_\_ Additional Review \_\_\_\_\_ Date notice mailed: \_\_\_\_\_

**DENIAL OF REQUEST TO REVIEW AND/OR DUPLICATE**

Date of Denial: \_\_\_\_\_

Requester's Name: \_\_\_\_\_

Requester's Address: \_\_\_\_\_

Re: ~~Denial of Request to Review and/or Duplicate~~ \_\_\_\_\_

~~Request No.~~ \_\_\_\_\_

~~Date of Request:~~ \_\_\_\_\_

Dear Mr./Mrs./Ms. \_\_\_\_\_

Please be advised that your request to review/duplicate ~~[strike out inappropriate request]~~  
the following records:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

has been denied for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

~~This denial is based upon the following legal authority:~~

\_\_\_\_\_  
\_\_\_\_\_

~~You have the right to appeal this decision. If you appeal, you must either:~~

- ~~1. Within fifteen (15) days of the notice of denial or deemed denial, file exceptions with the City Council of the City of Reading in accordance with City of Reading's policy.~~

~~If you file exceptions, the City of Reading has thirty (30) days in which to respond to your exceptions, unless extended by the parties. The City Council of the City of Reading may decide to conduct a hearing within that time to assist in the making of decision.~~

~~-OR-~~

2. ~~Within thirty (30) days of the notice of denial, or within thirty (30) days of the City Council's final decision (in the event that you have filed exceptions), you may file a petition for review in the Berks County Court of Common Pleas or bring an action in the local District Magistrate's office.~~
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